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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 536 of 2001

PETITIONERS : 1. Mohan Gond aged about 54 years, Son of Budhram.
2. Smt. Rukhmani Bai aged about wife of Shri Mohan Gond
3. Brij Bihari, aged about 39 years, son of Rama Shankar.
4. Smt. Shail Kumari aged about 35 years, wife of Shri Brij Bihari.
5. Janaklal aged about 32 years Son of Chunuklal
6. Smt. Imla Bai aged about 32 years wife of Shri Janaklal
7. Pawan Kumar aged about 41 years Son of Shri Parasram Yadav
8. Smt. Hira Bai, aged about 35 yrs. Wife of Shri Pawan Kumar
9. Bharat, aged about 35 years, Son of Shri Jodhram.
10. Smt. Rajbat, aged about 28 yrs., Wife of Shri Bharat.

All are resident of village Math Purena, Raipur, Tahsil and District Raipur, Chhattisgarh.

VERSUS

RESPONDENTS : 1. The State of Chhattisgarh Through the Collector, Raipur.
2. Shri M.L.Gupta, Additional Tahsildar, Tahsil Officer, Raipur, Chhattisgarh.
3. Shri Rupchand Sharma, Revenue Inspector, Tahsil Office, Raipur. Chhattisgarh.

PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA.

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri B.P.Sharma, Advocate for the petitioner.
Shri Arvind Dubey, Panel Lawyer for the State/respondent No. 1.

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ORAL ORDER
(Passed on 17th day of November, 2007)

1. Learned counsel for the petitioners submits that the petitioners were allotted the land in dispute under Rajiv Gandhi Ashraya Yojna, 1998, on lease for a period of 30 years by the erstwhile unified State of Madhya Pradesh, in the year 1998.
2. In this petition, the petitioners have prayed for issuing a writ of mandamus, directing the respondents to desist from ousting or dispossessing from the plots of land allotted to the petitioners.
3. The petitioners have further prayed that the respondents be restrained from taking any coercive steps or using force to demolish the structure/houses.
4. This Court on 23.04.2001 passed the interim order that "if the petitioners are in possession of the land or plots in question as on this date, they shall not be ousted nor shall their house or structure be demolished until further orders from this Court".
5. Shri Arvind Dubey, learned panel lawyer for the State/respondent No. 1 fairly submits that no steps for demolition of the structure or dispossession of the petitioners from the lands in question shall be taken before affording proper opportunity of hearing to the petitioners, in accordance with law.
6. In view of the foregoing, nothing survives in the matter. Accordingly, this petition is disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Amit